

## In a Search for a More Perfect Union

Creating and contributing to a more perfect union is something that all American citizens should strive for. Communities, governments, and citizens working together to build trustworthy, and meaningful relationships can help to achieve this shared goal. By improving communication and understanding, and respecting each other's differences, we can contribute to achieving the formation of a more perfect union.

Within our union, there are many complex relationships between various groups of people and communities. There is one notably complex relationship, however, that exists between the United States Government and the Government of Tribal Nations. Tribal Lands, called reservations, make up approximately 2% of the land in the United States (Halverson, 2010). These reservations are very unique because they are portions of land that are seen and treated as independent, sovereign nations, and governed by their own appointed leaders. In a sovereign nation, leaders have supreme authority over a given territory and they are essentially a self-government. The Tribal government is separate from the US Government and has the legal right to handle all affairs carried out on Tribal Land. The US Government does not have the authorization over these lands and is prohibited from intervening in tribal affairs. Our Constitution clearly says that we have “a unique legal relationship with Native American tribal governments” (“Government-to-Government Relations with Native American Tribal Governments.”, 2016) with regard to statutes, treaties, and court verdicts. The United States Government is expected to treat these Native sovereignties with consideration and execute an intent to build a stronger relationship with these people. Building stronger relationships between

the United States Government and the Tribal Governments should likely include improving communication and transparency to avoid situations similar to the *McGirt v. Oklahoma* case.

In the *McGirt v. Oklahoma* case, Native American Jimcy McGirt committed a number of sexual offenses on native land. Jimcy McGirt was prosecuted by the State of Oklahoma without the jurisdiction to do so. McGirt argued this in court and brought the case to the Court of Appeals. From there, the case was brought up to the Supreme Court, where the charges were upheld against Jimcy. Oklahoma was found guilty of infringement as the state did not follow the regulations set forth in our Constitution regarding our interaction with the Native American Tribal Government. This undeniably created complications due to a lack of communication between the two governing bodies and a lack of respect for the sovereignty of the Native Americans.

There are both strengths and weaknesses to having two separate leaderships between the US and Tribal Nations. The *McGirt v. Oklahoma* case is just one example of our failure to communicate and have a cohesive partnership. Historically, the relationship between the Tribal government and the US Government has been strained. Having a distinct separation of power allows for Tribal Nations to have a dependable leader that has knowledge of their past history. This puts trust in their leadership knowing that their best interest is always in mind and allows them to be represented in a complementary way. This is also beneficial because the United States Government doesn't have to manage and govern multiple separate nations. One large weakness to separate rulers is the absence of a clearly established communication system that is efficient and consistent. This of course, poses challenges as highlighted in the *McGirt v Oklahoma* case where governments inevitably overstepped their boundaries resulting in the case being escalated to the Supreme Court for resolution.

It is clear that changes need to be made to form a more perfect union and have a seamless relationship between the separate governments within the United States. Uniting both the Tribal Government and the US Government would be an ideal place to start. First and foremost, building trust between leaders and communities would help grow a healthy relationship between the two governments. Open communication, transparency, and working together to form a partnership in solving issues and controversies while also sharing new ideas with one another could certainly have its benefits. A more perfect union would be a union where all people feel included and heard and where we work together to overcome our differences.

## Works Cited

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